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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/832,255	04/09/2001	Peter Faraday	MCS-076-00	9474
27662	7590	08/12/2004	EXAMINER	
LYON & HARR, LLP 300 ESPLANADE DRIVE, SUITE 800 OXNARD, CA 93036			RIES, LAURIE ANNE	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/832,255	Applicant(s) FARADAY ET AL.	
	Examiner Laurie Ries	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9-14, 23, 25-28, 32 and 41 is/are rejected.
- 7) ☒ Claim(s) 5-8, 15-22, 24, 29-31 and 33-40 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Specification***

Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:

- (1) if a machine or apparatus, its organization and operation;
- (2) if an article, its method of making;
- (3) if a chemical compound, its identity and use;
- (4) if a mixture, its ingredients;
- (5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

In the application, the Abstract states that "The animation tag makes it much easier for the user to reconcile the order in which objects are animated" in lines 17-19. This refers to purported merits of the invention and should be removed or rephrased.

### ***Claim Rejections - 35 USC § 102***

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The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 9, 13-14, 25-28, 32, and 41 are rejected under 35

U.S.C. 102(e) as being anticipated by Even-Zohar (U.S. Patent 6,738,065 B1).

As per claims 1, 25, and 41, Even-Zohar discloses a method for viewing and controlling an animation sequence of a presentation program including displaying an on object user interface, in the form of a frame control count, which is in close proximity to the frame or object being animated and which indicates an animation effect sequence of the frame or object. (See Even-Zohar, Figure 3, element 380, and Column 12, lines 46-49. The user is able to manipulate the animation using the frame control count. (See Even-Zohar, Column 12, lines 48-49 and lines 60-65).

As per claims 2 and 26, Even-Zohar discloses that the animation on object user interface, or frame control count, displays a number that represents a number in the sequence of input device selection actions that cause an animation effect on the object. (See Even-Zohar, Figure 3, element 380).

As per claims 3 and 27, Even-Zohar discloses that the animation on object user interface, or frame control count, is associated with an effect in a list of animation effects in animation sequence order. (See Even-Zohar, Figure 3, element 330).

As per claims 4 and 28, Even-Zohar discloses that each effect in the list of animation effects represents its order in a sequence of computer input device selection actions. (See Even-Zohar, Figure 3, element 330, and Column 12, lines 27-33).

As per claims 9 and 32, Even-Zohar discloses that when the animation order of one of the effects on the list of animation effects is changed, the order on the on object user interface, or frame control count, is also changed. (See Even-Zohar, Column 12, lines 48-49).

As per claim 13, Even-Zohar discloses that only one on object user interface, or frame control count, is displayed if multiple animation effects are associated with a single input device selection action. (See Even-Zohar, Figure 3, element 380).

As per claim 14, Even-Zohar discloses that multiple animation effects are associated with multiple input device selection actions. (See Even-Zohar, Figure 3, element 330).

***Claim Rejections - 35 USC § 103***

Art Unit: 2176

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Even-Zohar (U.S. Patent 6,738,065 B1) as applied to claim 4 above, and further in view of Heidmann (U.S. Patent 6,057,833).

As per claim 10, Even-Zohar discloses the limitations of claim 4 as described above. Even-Zohar does not disclose expressly that the animation on object user interface, or frame control count, displays a pop-up window when selected. Heidmann discloses that a pop-up display is enabled when certain selections are made. (See Heidmann, Column 5, lines 18-23). Even-Zohar and Heidmann are analogous art because they are from the same field of endeavor of creating and editing computer animation programs. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the pop-up display of Heidmann with the on object user interface, or frame control count, of Even-Zohar. The motivation for doing so would have been to enable the user to enhance the aesthetic appearance of the display and enable the user to draw more quickly and accurately. (See Heidmann, Column 5, lines 23-27). Therefore, it would have been obvious to combine Heidmann with Even-Zohar for the benefit of improving the interface to provide ease of use for the user to obtain the invention as described in claim 10.

As per claim 11, Even-Zohar and Heidmann disclose the limitations of claim 10 as described above. Heidmann also discloses that the pop-up window displays additional information associated with the animation on object user interface, or frame control count. (See Heidmann, Column 4, lines 59-67 and Column 5, lines 1-12). Heidmann are analogous art because they are from the same field of endeavor of creating and editing computer animation programs. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the additional information in the pop-up display of Heidmann with the on object user interface, or frame control count, of Even-Zohar. The motivation for doing so would have been enable the user to draw more quickly and accurately. (See Heidmann, Column 5, lines 23-27). Therefore, it would have been obvious to combine Heidmann with Even-Zohar for the benefit of improving the interface to provide ease of use for the user to obtain the invention as described in claim 11.

As per claim 12, Even-Zohar and Heidmann disclose the limitations of claim 10 as described above. Heidmann also discloses that the pop-up window allows the user to manipulate the animation of the object. (See Heidmann, Column 4, lines 59-67, and Column 5, lines 1-12). Heidmann are analogous art because they are from the same field of endeavor of creating and editing computer animation programs. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the user manipulation of the animation within the pop-up display of Heidmann with the on object user interface, or frame control count, of Even-Zohar. The motivation for doing so



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would have been enable the user to draw more quickly and accurately. (See Heidmann, Column 5, lines 23-27). Therefore, it would have been obvious to combine Heidmann with Even-Zohar for the benefit of improving the interface to provide ease of use for the user to obtain the invention as described in claim 12.

Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Even-Zohar (U.S. Patent 6,738,065 B1) as applied to claim 2 above, and further in view of Merrill (U.S. Patent 6,369,821 B2).

As per claim 23, Even-Zohar discloses the limitations of claim 2 as described above. Even-Zohar does not disclose expressly that more than one animation effect can be combined, such that they will occur at the same time in the animation sequence. Merrill discloses that a "wait" command is used to synchronize actions from different animations such that they can occur at the same time in the animation sequence. (See Merrill, Column 37, lines 15-17). Even-Zohar and Merrill are analogous art because they are from the same field of endeavor of creating and editing computer animation programs. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the "wait" command of Merrill with the list of animation effects representing their order in a sequence of computer input device selection actions of Even-Zohar. The motivation for doing so would have been to allow the animation server to handle the scheduling of animations for playback in response to animation requests from applications. (See Merrill, Column 37, lines 10-13). Therefore, it would have been obvious to combine Merrill with Even-Zohar for the

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benefit of allowing automated scheduling of animations during playback to obtain the invention as described in claim 23.

### ***Allowable Subject Matter***

Claims 5-8, 15-22, 24, 29-31, and 33-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Kroitor (U.S. Patent 6,577,315 B1) discloses a computer-assisted animation construction system and method and user interface.
- Okuyama (U.S. Patent 5,867,177) discloses an image display method for displaying a scene in an animation sequence.
- Thomas discloses a method of applying cartoon animation techniques to graphical user interfaces.
- Sun discloses a scene behavioral composition interface using Motif widgets.
- Zheng discloses an interactive visualization tool for viewing and manipulating geometric objects.

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- Gobbetti discloses an integrated environment to visually construct 3D animations.
- Susman (U.S. Patent 5,261,041) discloses a computer controlled animation system based on definitional animated objects and methods.
- Chailleux (U.S. Patent 6,404,441 B1) discloses a system for creating media presentations of computer software application programs.
- Pavley (U.S. Patent 6,317,141 B1) discloses a method and apparatus for editing heterogeneous media objects in a digital imaging device.

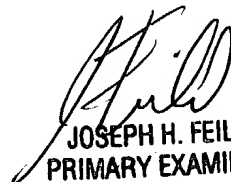
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laurie Ries whose telephone number is 703-605-1238. The examiner can normally be reached on Monday-Friday from 7:00am to 3:30pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any

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LAR



JOSEPH H. FEILD  
PRIMARY EXAMINER